

Exhibit E

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13 **IN THE SUPERIOR COURT OF FERRY COUNTY, STATE OF WASHINGTON**
14

15 IN RE:

16
17 CONNOR, JOSEPH A III
18 Plaintiff
19

Case No. 11-2-00098-6

20
21 V
22

23
24 GMAC MORTGAGE LLC et al
25 Defendants
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NOTICE OF MOTIONS

**PLAINTIFF'S MOTION TO
VACATE COURT ORDER FOR
SANCTIONS AND TO ORDER A
NEW HEARING (if necessary)
PLAINTIFF'S MOTION FOR
DENIAL OF DEFENDANTS'
MOTION FOR SANCTIONS
ON GROUNDS OF LATE
SERVICE
PLAINTIFF'S DECLARATIONS**

EXHIBITS 1-6

Judge: Nielson
Hearing Date: 18 May 2012
Hearing Time: 10am

[Type text]

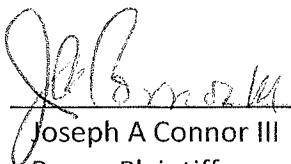
-Notice of Motions
-Plaintiff's Motion to Vacate Court
Order for Sanctions and to Order
A New Hearing (if necessary)
-Plaintiff's Motion for Denial of
Of Defendants' Motion for Sanctions
On Grounds of Late Service
-Plaintiff's Declarations
-Exhibits 1-6

Joseph A Connor III
PO Box 1474
Cobb, CA 95426
707-809-7093
Pro se Plaintiff

1
2 **NOTICE OF MOTIONS**
3

4 PLEASE TAKE NOTICE, the Plaintiff, Joseph A Connor III, has filed (a) a Motion to Vacate the
5
6 Court's Order for Sanctions and Order a New Hearing (if necessary); and (b) a Motion for Denial
7
8 of Defendants' Motion for Sanctions on the Grounds of Late Service. These Motions are based
9
10 on this Notice, the Motions themselves, the Plaintiff's Declarations on both Motions (a) and (b)
11
12 and Exhibits 1-6.

13
14
15 Dated: 7 May 2012

16 
17 Joseph A Connor III
18 Pro se Plaintiff
19
20


21 **MOTION TO VACATE THE COURT'S ORDER FOR SANCTIONS**
22 **AND TO ORDER A NEW HEARING (if necessary)**
23

- 24 1. The Plaintiff, Joseph A Connor III, Moves this Court for an Order Vacating its Order
25
26 For Sanctions Against Plaintiff, to be entered on 8 June 2012, based on a hearing held
27
28 on 27 April 2012, and if necessary to order a new hearing.
29
30 2. Plaintiff says he failed to appear at the 27 April 2012 hearing on the Motion due to
31
32 a mix up with Court Call, the independent company that arranges telephonic
33
34 appearances for parties to litigation.
35
36 3. Plaintiff asks for this Order so that he may be accorded due process and a fair hearing.
37

[Type text]

-Notice of Motions
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Order for Sanctions and to Order
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Of Defendants' Motion for Sanctions
On Grounds of Late Service
-Plaintiff's Declarations
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Joseph A Connor III
PO Box 1474
Cobb, CA 95426
707-809-7093
Pro se Plaintiff


Joseph A Connor III, Pro se Plaintiff

1 Dated: 7 May 2012
2
3
4
5

6 **PLAINTIFF'S DECLARATION—MOTION (a)**
7

8 I, Joseph A Connor III, Declare the following under penalty of perjury under the laws of the
9
10 State of Washington.
11

12 1. I am over 18 years of age.
13

14 2. I am the Plaintiff in Connor V. GMAC Mortgage, LLC et al, Case No. 11-2-00098-6, now
15
16 pending in Ferry County Superior Court. I represent myself in this matter.
17

18 3. On 24 April 2012, I arranged for the services of Court Call, an independent company
19
20 that arranges for telephonic appearances for parties in litigation. Exhibits 1 and 1a together
21
22 constitute proof that I made and paid for these arrangements.
23

24 4. Exhibit 2 is a notice from Court Call that my registration was complete.
25

26 5. Exhibit 3 is my e-mail log for the period 3/29/12 to 4/27/12, which shows that I had no
27
28 other correspondence other than Exhibits 1, 1a and 2 from Court Call.
29

30 6. I received no instructions from Court Call, but I had used their service once before, and
31
32 on that occasion I simply waited by the phone until either the Court or Court Call (I can't
33
34 remember which) telephoned me when the hearing was called. In this instance, and in the
35
36 absence of instructions to the contrary from either Court Call or the Clerk's office, I assumed
37

[Type text]

-Notice of Motions
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Of Defendants' Motion for Sanctions
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Joseph A Connor III
PO Box 1474
Cobb, CA 95426
707-809-7093
Pro se Plaintiff

1 the procedure was the same. I had no reason to think otherwise.
2

3 7. I notified the Clerk's Office on 25 April 2012 that I had registered and paid for the Court
4
5 Call service. On the afternoon of 26 April 2012, I spoke with the Clerk herself and told her I was
6
7 all set for the 10 am hearing on 27 April 2012.
8

9 8. For whatever reason, and whoever is to blame, I did not have an opportunity to appear
10
11 at the 10 am hearing on 27 April 2012, to defend against the Defendants' Motion.
12

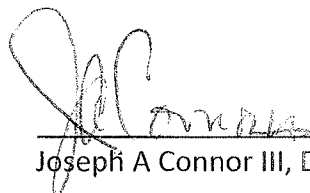
13 9. As a result, the Court issued an order for sanctions in the amount of \$1,500.00
14
15 against me.
16

17 10. I called the Clerk's Office and Court Call, both several times, in an effort to set the
18
19 matter right, and seek a way to move forward. I began those calls at or around 11 am,
20
21 27 April 2012, after sitting by the phone in my home from 10 am on and hearing nothing
22
23 from anybody.
24

25 11. Exhibit 4 is a letter from Court Call citing clerical error as the reason for my failure
26
27 to appear.
28

29 12. I have nothing further to declare.
30

31 Dated: 7 May 2012
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Joseph A Connor III, Declarant

[Type text]

-Notice of Motions
-Plaintiff's Motion to Vacate Court
Order for Sanctions and to Order
A New Hearing (if necessary)
-Plaintiff's Motion for Denial of
Of Defendants' Motion for Sanctions
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Joseph A Connor III
PO Box 1474
Cobb, CA 95426
707-809-7093
Pro se Plaintiff

1 **PLAINTIFF'S MOTION TO DENY DEFENDANTS' MOTION FOR SANCTIONS FOR LATE SERVICE**

2
3 1. The Plaintiff, Joseph A Connor III, Moves this Court for an Order Denying Defendants'
4
5 Motion for Sanctions, because the Notice and Motion were not served in compliance with
6
7 LCR 6(A) and CR 6(a) and (e).
8

9 2. Plaintiff asks for such Order under LCR 6(E) because Defendants failed to comply with
10
11 applicable laws LCR 6(A) and CR 6 (a) and (e).
12

13
14 Dated: 7 May 2012

15 
16 _____
17 Joseph A Connor III, Pro se Plaintiff
18
19
20

21 **PLAINTIFF'S DECLARATION—MOTION (b)**

22
23 I, Joseph A Connor III, Declare the following under penalty of perjury under the laws of
24
25 The State of Washington.
26

27 1. I am over 18 years of age.
28

29 2. I am the Plaintiff in Connor v GMAC Mortgage et al, Case No. 11-2-00098-6, now
30
31 pending in Ferry County Superior Court, State of Washington. I represent myself in this
32
33 matter.
34

35 3. I received the Defendants' Notice and Motion for Sanctions on the morning of
36
37 24 April 2012.

[Type text]

-Notice of Motions
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A New Hearing (if necessary)
-Plaintiff's Motion for Denial of
Of Defendants' Motion for Sanctions
On Grounds of Late Service
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Joseph A Connor III
PO Box 1474
Cobb, CA 95426
707-809-7093
Pro se Plaintiff

1
2 4. These documents had been mailed to Plaintiff on 19 April 2012, according to the
3
4 Service Certificate and the postmark on the envelope (Exhibits 5 and 6).

5
6 5. Given the Defendants' 19 April 2012 date of mailing, and Ferry County Local Rule
7
8 6(A) and Washington Court Rule 6(a) and 6(e), it isn't mathematically possible for the
9
10 Notice and Motion to have been delivered to Plaintiff in time to comply with the law.

11
12 6. Had I been at the hearing, I would have objected to the Motion being heard and I
13
14 I would have asked the Court to Deny said Motion.

15
16 7. I would note that as a result of the Defendants' late notice, I did not get the
17
18 opportunity to respond to and object to the Defendant's Motion in writing, but would
19
20 rather have been expected to respond and object verbally to the Motion, over the
21
22 phone with inadequate preparation, had the Court insisted the hearing go forward at
23
24 10 am on 27 April 2012, despite the provisions of LR 6(A), 6(E); CR 6(a) and 6(e).

25
26 8. As the Court can see, attorney for Defendants, William Fig, overnighted the
27
28 documents to the Court so they would be filed on 20 May 2012 in compliance with the
29
30 laws cited in paragraph 6, but he put the Plaintiff's documents in the regular post, with
31
32 the result Plaintiff would have insufficient time to prepare for the hearing on 27 May
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34 2012.

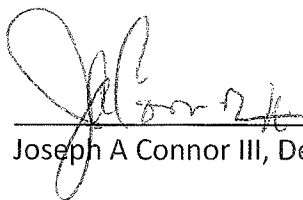
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[Type text]

-Notice of Motions
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Order for Sanctions and to Order
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Joseph A Connor III
PO Box 1474
Cobb, CA 95426
707-809-7093
Pro se Plaintiff

1 9. I have nothing further to declare.
2
3

4 Dated: 7 May 2012
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Joseph A Connor III, Declarant

[Type text]

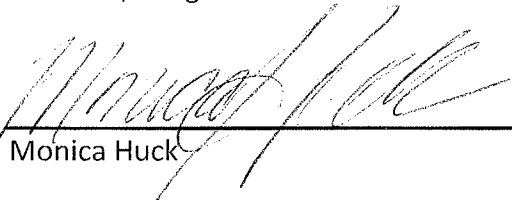
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Of Defendants' Motion for Sanctions
On Grounds of Late Service
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Joseph A Connor III
PO Box 1474
Cobb, CA 95426
707-809-7093
Pro se Plaintiff

CERTIFICATE OF SERVICE

I certify under penalty of perjury under the laws of the State of Washington that I caused to be sent the foregoing Notice of Motions, Plaintiff's Motion to Vacate Court Order for Sanctions and to Order a New Hearing (if necessary), Plaintiff's Motion for Denial of Defendants' Motion for Sanctions on Grounds of Late Service, Plaintiff's Declarations, Exhibits, by 1st Class US Mail Postage Prepaid to:

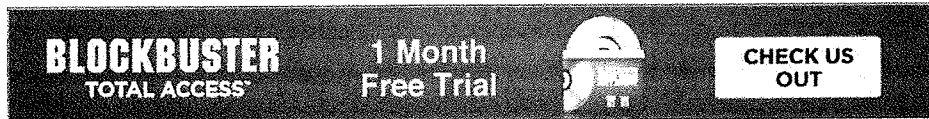
William G Fig
Sussman Shank
1000 SW Broadway, Suite 1400
Portland, Oregon 97206


Monica Huck

[Type text]

-Notice of Motions
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Order for Sanctions and to Order
A New Hearing (if necessary)
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Of Defendants' Motion for Sanctions
On Grounds of Late Service
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Joseph A Connor III
PO Box 1474
Cobb, CA 95426
707-809-7093
Pro se Plaintiff



NETZERO My NetZero Refer-a-Friend Help My Account Message Center Search
You are signed in as: jaconnor3@netzero.net Troubleshoot Email Your Weather Upgrade Contact Us Change User Sign Out

Write Message Home Inbox Write Address Book Settings Help Search

Check Messages
Check Other Mail [edit]

Folders [edit]
Inbox (1)
Junk Mail (4)
Sent (3)
Trash (24)
Draft
sent...

Read Message

Previous Next Close

From: <response@courtcalls.com> | Save to Address Book | Block Sender

To: <jaconnor3@netzero.net>

Subject: CourtCall Appearance ID 4902593 INVOICE

Date: Tue, Apr 24, 2012 11:25 AM

Attachment(s): 1 file(s)/document(s) | Total File Size: 96K

Reply Reply All Forward Delete Report as Junk

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The attached document shall serve as an invoice or receipt for CourtCall appearance ID 4902593.

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land... (96KB)

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How This Weird Fruit Extract Can Make You Thinner in Just 5 Days.
www.HLifestyles.com

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Exhibit I



CourtCall

Telephonic Court Appearances
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6383 Arizona Circle
Los Angeles, CA 90045
Telephone: (888) 882-6878
Facsimile: (888) 883-2946
Tax ID: 95-4568415

INVOICE / RECEIPT

COURTCALL ID 4902593
CASE NAME/NUMBER 11-2-00098-6 / Conner vs. GMAC Mortgage, et al
CUSTOMER REF. NUMBER
DATE OF HEARING Friday, April 27th, 2012 10:00 AM PT
FIRM NAME Joseph Connor Pro Per
ATTORNEY/PARTY APPEARING Joseph A. Connor III
TELEPHONE (707) 809-7093
FAX/EMAIL
AMOUNT DUE \$60.00
AMOUNT PAID \$60.00
PAYMENT NOW DUE \$0.00

Payment Details

Method	Type	Amount	Reference	Date/Time
Credit	Charge	\$60.00	Visa ending in 8510	4/24/2012 11:23:42AM

If the 'Payment Now Due' indicated above is zero, no payment is due and this receipt is for your records only, otherwise, the amount indicated is now due.

If there is an amount due, please remit your payment within five business days of receipt of this notice. If you have already sent payment please contact our Accounting Department as our records do not reflect receipt of payment at the time this notice was sent. IF PAYMENT IS NOT RECEIVED, FUTURE SERVICE MAY BE DENIED AND/OR THE COURT MAY BE ADVISED OF YOUR REFUSAL TO PAY.

PAYMENT BY CREDIT CARD: Payment can be made online by registering and logging in at www.courtcall.com or by calling (888) 882-6878 and selecting option '5' for the Accounting Department. Please have the complete credit card billing address in addition to the credit card number, expiration date and cardholder's full name available when making payment.

PLEASE DETACH AND RETURN THIS PORTION IF PAYING BY CHECK OR MONEY ORDER

PAYMENT BY CHECK OR MONEY ORDER: Complete this payment section and mail your check, payable to: **CourtCall LLC at 6383 Arizona Circle. Los Angeles, CA 90045.** Please write the CourtCall ID number in the memo section of your check. Please Note: CourtCall does not accept personal checks.

COURTCALL ID: 4902593
CASE NAME/NUMBER: 11-2-00098-6 / Conner vs. GMAC Mortgage, et al
CUSTOMER REF. NUMBER:
DATE OF HEARING: Friday, April 27th, 2012 10:00 AM PT
FIRM NAME: Joseph Connor Pro Per
ATTORNEY/PARTY APPEARING: Joseph A. Connor III
TELEPHONE: (707) 809-7093

Please find enclosed, my check payable to: CourtCall LLC in the amount of \$0.00

Signature: _____ Date: _____

Exhibit 1a

NETZERO My NetZero Refer-a-Friend Help My Account Message Center
 You are signed in as: jconnor3@netzero.net
 Search
 Troubleshoot Email | Your Weather | Upgrade | Contact Us | Change User | Sign Out

Write Message Home Inbox Write Address Book Settings Help Search

Check Messages
 Check Other Mail [edit]

Folders [edit]

Inbox (1)

Junk Mail (4)

Sent (3)

Trash (24)

Draft

sent e...

Get \$10 Off* FTD



Read Message

Previous Next Close

From: <response@courtcall.com> | Save to Address Book | Block Sender

To: <jconnor3@netzero.net>

Subject: CourtCall Online Registration Complete

Date: Tue, Apr 24, 2012 11:18 AM

Reply Reply All Forward Delete Report as Junk

Move message to... [Print]



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Telephonic Court Appearances

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Thank you for using CourtCall. Please do not reply to this email as it is generated automatically and sent from an unmonitored account.

Registration for Joseph Connor for CourtCall Online access is complete. Effective immediately, you may now view your profile and your CourtCall Telephonic Appearances online.

To access your information, please visit our website at www.courtcall.com and select 'Self-Represented' under the 'Login' menu. Click the 'Activate My Account' link and follow the prompts using this Activation Code: 2T0J0G7H1R1J. Upon submitting your request, you will be asked to create your own unique password and answer two Security Questions to assist us in maintaining the security and privacy of your information. You may also [Click Here](#) to get started now.

To see a list of Courts/Judges available for scheduling click the [Judge Availability List](#). Check for your Court/Judge in the list before attempting to schedule a new appearance online and give us a call if you do not see what you are looking for as we may be able to help. You will be able to view past/future appearances, continue, cancel and schedule new ones as well as viewing payment details by clicking 'My Appearances' on the dropdown menu or navigation bar.

Thank you and we hope that you will find it useful. Your feedback and comments are welcomed. Please send an email to: registration@courtcall.com if you have general questions about this service. Please note that we do not schedule, change or cancel CourtCall Appearances via email.

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Exhibit 2

Brandon
 x 817

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Exhibit 2 (cont)



NETZERO My NetZero Refer-a-Friend Help My Account Message Center Search
You are signed in as: jaconnor3@netzero.net Troubleshoot Email Your Weather Upgrade Contact Us Change User Sign Out

Write Message Home Inbox Write Address Book Settings Help Search

Check Messages

Check Other Mail [edit]

Inbox

View: All | Unopened 1 Unopened Message(s) 303 message(s) total

Folders [edit]

- Inbox (1)
- Junk Mail (4)
- Sent (3)
- Trash (24)
- Draft
- sent e..

Get \$10 Off* FTD

Select item(s) to: Delete Report as Junk Move selected item(s) to... Mark Message as...

Select All Clear All

Messages 1-25 of 303 | First | Previous | Next(25) | Last

	From	Subject	Date / Time	Size
	DegreeTree	Earn a degree at your own pace	04/27/12 10:17 AM	7K
	archivesupport@alumniarchiv...	Walter Johnson High School Alumni Mo ...	04/27/12 06:28 AM	53K
	William G. Fig	RE: GMAC Mortgage, LLC	04/25/12 11:42 AM	27K
	response@courtcall.com	CourtCall Appearance ID 4902593 INVOICE	04/24/12 11:25 AM	99K
	response@courtcall.com	CourtCall Online-Registration Complete	04/24/12 11:18 AM	8K
	Ferrell Stephanie (OIC)	RE: First American Title	04/24/12 11:09 AM	24K
	Ferrell Stephanie (OIC)	First American Title	04/24/12 10:54 AM	42K
	William G. Fig	RE: GMAC Mortgage, LLC	04/20/12 05:30 PM	22K
	William G. Fig	RE: Connor v. GMAC Mortgage - attach ...	04/20/12 04:30 PM	23K
	William G. Fig	FW: Connor v. GMAC et al - pleadings	04/20/12 03:54 PM	2538K
	Mumm Napa Club Vivant	Has your address changed? May Club V ...	04/20/12 09:48 AM	31K
	William G. Fig	RE: GMAC Mortgage, LLC	04/17/12 02:24 PM	16K
	Theresa Greene	Cover Sheet	04/17/12 12:59 PM	40K
	William G. Fig	RE: GMAC Mortgage, LLC	04/17/12 12:38 PM	7K
	Karen D. Muir	Connor v. GMAC Mortgage - attached i ...	04/16/12 11:30 AM	2931K
	Theresa Greene	RE: cover sheet	04/13/12 09:52 AM	50K
	Eligibility Center	Eligibility Letter - Reference Numbe ...	04/10/12 11:26 AM	56K
	webmaster.pro@county.alleg...	Sheriff Return For LSI Title Agen ...	04/09/12 05:56 PM	5K
	Ferrell Stephanie (OIC)	RE: LSI Title Agency request Set 4	04/09/12 02:27 PM	188K
	Ferrell Stephanie (OIC)	RE: LSI Title Agency request Set 4	04/09/12 12:50 PM	12K
	Theresa Greene	documents	04/02/12 08:32 AM	259K
	RECORDING	Assignment etc	03/30/12 01:18 PM	196K
	USW_DIRECTSUPPORT	FOREMOST INSURANCE COMPANY FORM 734960	03/29/12 06:40 PM	85K
	Ferrell Stephanie (OIC)	RE: LSI Title Agency request Set 4	03/29/12 10:05 AM	462K
	Ferrell Stephanie (OIC)	RE: LSI Title Agency request Set 4	03/29/12 08:55 AM	43K

Select All Clear All

Messages 1-25 of 303 | First | Previous | Next(25) | Last

Select item(s) to: Delete Report as Junk Move selected item(s) to... Mark Message as...

ICON LEGEND

Exhibit 3



UNITED ONLINE



CourtCall, LLC
6383 Arizona Circle
Los Angeles
CA 90045
Tel: (888) 882-6878
Fax: (888) 883-2946

www.courtcall.com

April 30, 2012

Judge Allen Nielson Superior Court Judge
Ferry County Superior Court

RE: Conner vs. GMAC Mortgage, et al
Case No. 11-2-00098-6
April 27, 2012

Dear Judge Nielson:

We have been informed that a Civil Motion involving In Pro Per Joseph A. Connor III, which was scheduled through CourtCall in the above referenced case was not completed.

Our records indicate that Mr. Connor made arrangements to appear by phone on April 24th at 11:23 am. Mr. Connor has indicated that he did not receive a Confirmation from our office and therefore did not have the phone number to dial in to connect for his appearance. Our records confirm that the confirmation was not sent. Mr. Connor believed that he would be dialed out to for his appearance. By the time he contacted our office and the error was discovered, the Court had heard the above mentioned case without his participation. Mr. Connor made a good faith effort to appear, however due to a clerical error on our part, was unable to do so.

Should you or your staff have any questions or comments, please feel free to contact me directly.

Very truly yours,

Amy M. Lohrenz
Teleconference and Court Liaison

Cc: Mr. Connor

SUSSMAN SHANK LLP
A T T O R N E Y S A T L A W
1000 SOUTHWEST BROADWAY SUITE 1400
PORTLAND, OREGON 97205-3089



Joseph A. Connor III
PO Box 1474
Cobb, CA 95426

FIRST CLASS



CERTIFICATE OF SERVICE

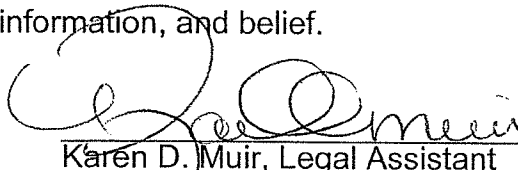
THE UNDERSIGNED certifies:

1. My name is Karen D. Muir. I am a citizen of Washington County, state of Oregon, over the age of eighteen (18) years and not a party to this action.

2. On April 19, 2012, I caused to be delivered via **first-class U.S. Mail, postage prepaid, and email** a copy of: **DEFENDANTS' MOTION FOR SANCTIONS RE PLAINTIFF'S MOTION FOR PLACEMENT OF *LIS PENDENS* MOTION** to the interested parties of record, addressed as follows:

Joseph A. Connor III
PO Box 1474
Cobb, CA 95426
Email: jaconnor3@netzero.net

I SWEAR UNDER PENALTY OF PERJURY that the foregoing is true and correct to the best of my knowledge, information, and belief.


Karen D. Muir, Legal Assistant

F:\CLIENTS\20809\059\CERTMASTER.DOC